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September 27, 2018

Via Electronic Filing and Overnight Mail

Marlene H. Dortch
Federal Communications Commission
Office of the Secretary
9050 Junction Drive
Annapolis Junction, MD 20701

DOCKET FILE COPY ORIGINAL

Karen Majcher
Vice President, High Cost & Low Income Division
Universal Service Administration Company
2000 L Street, NW, Suite 200
Washington, DC 20036
E-Mail: hccerts@usac.org

Re: CC Docket No. 96-45/WC Docket No. 10-90, Annual State Certification of Support for Eligible Telecommunications Carriers Pursuant to 47 C.F.R. § 54.314

New Jersey Board of Public Utilities' Annual Certification for Alteva of Warwick LLC, Formerly the Warwick Valley Telephone Company d/b/a WVT Communications

Dear Ms. Dortch and Ms. Majcher:

On August 3, 2018, pursuant to 47 C.F.R. § 54.314, Alteva of Warwick LLC, formerly Warwick Valley Telephone Company ("Alteva") filed a verified petition with the Board of Public Utilities ("Board") requesting that the Board file a certification with the Federal Communications Commission ("FCC") and the Universal Service Fund Administration stating that Warwick's use of federal high-cost Universal Service Support funds ("USS") is consistent with the purposes for which such funds may be used, according to federal law. On August 9, 2018, Alteva supplemented the petition filed on August 3, 2018 with a copy of its FCC Form 481. On the same date, Alteva sent a certificate of newspaper publication regarding this matter. The Universal Service certification requested by Alteva must be filed by the Board with both the

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FCC and USF Administrator by October 1, 2018 in order for Alteva to receive its full allocation of funds under the requirements imposed by the FCC.

Alteva is an incumbent local exchange carrier ("ILEC") certified as an eligible telecommunications carrier by the Board. Alteva provides telecommunications services to customers in the Townships of Vernon and West Milford, New Jersey, and the towns of Warwick and Goshen, New York. Alteva provides service to approximately 7,648 access lines, of which 2,934 are in New Jersey. Alteva is a rural telephone company as defined by the Telecommunications Act of 1996, P.L. 104-104, 110 Stat. 56 (codified in scattered Sections of 47 U.S.C. §§ 151 *et seq.* (hereinafter, "the Act"). See 47 U.S.C. § 153(44). The Board has certified Alteva as an eligible telecommunications carrier pursuant to 47 U.S.C. § 214(e). See Order of Approval, I/M/O a Petition by Warwick Valley Telephone Company for Designation as an Eligible Telecommunications Carrier Under the Telecommunications Act of 1996, Docket No. TO97080587 (November 25, 1997). Under the Act, certification as an eligible telecommunications carrier is necessary in order to receive federal Universal Service Support. 47 U.S.C. § 254(e).

By Order, dated August 15, 2013, Docket No. TO01090575 ("2012 Order"), the Board empowered the Director of the Division of Telecommunications, with the assistance of the Office of the Attorney General, if such assistance is deemed necessary, to provide to both the office of the Secretary of the FCC and the Administrator of the high-cost universal service support mechanism, a letter of compliance with the certification requirements as set forth in 47 C.F.R. § 54.314.

Consistent with previous petitions filed with the Board regarding the use of USS funds, Alteva of Warwick has filed the following information:

- A- Cost Support Response Form and supporting schedules of Alteva of Warwick prepared as of August 3, 2018 (schedules for 2018 pro forma and 2019 projected).
- B- Affidavit of Virginia O'Hanlon, Manager, Regulatory and Tax Compliance, of Alteva of Warwick, certifying that USS funds received by Alteva of Warwick in the preceding calendar years (2017 and 2018), and will receive in 2019 for the provision, maintenance, and upgrading of facilities and services for which such support is intended, as required pursuant to section 254(e) of the Telecommunications of 1996 and 47 C.F.R. § 54.101 *et seq.*
- C- Proof of newspaper publication of the Notice of filing requesting the public to comment on Alteva's use of High cost funds on August 9, 2018.
- D- An annual report filing of FCC Form 481, Carrier Annual Reporting, in support of Alteva of Warwick's certification requirements for 2018 as required by 47 C.F.R. § 54.313. Alteva certified that it is offering broadband that meets the requisite public interest obligations consistent with the category for which they were selected. It includes broadband speed, latency, usage capacity, and rates that are reasonably comparable to rates for comparable offerings in urban areas.

In order to ensure continued use of Universal Service Support funds in a manner consistent with federal law, Board Staff requests Alteva to continue to follow Board directives to submit to the Board no later than July 1st and January 1st of each year, a report as determined by Staff, providing auditable information sufficient to determine Alteva's compliance with the FCC's required uses of Universal Service Support funds.

Having reviewed the petition and the information submitted in support thereof, and given that no one has objected to Alteva of Warwick's continued use of federal USS funds following newspaper publications, Staff HEREBY CERTIFIES that Alteva of Warwick shall use the federal USS funds it receives during 2018 for the provision, maintenance, and upgrading of facilities and services for which such support is intended, as required by section 254(e) of the Telecommunications Act of 1996 and 47 C.F.R. § 54.101 et seq.

Staff therefore files this Letter of Approval and Certification with both the Office of the Secretary of the FCC and the Administrator to serve as compliance with the certification requirements as set forth in 47 C.F.R. Section 54.314.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lawanda R. Gilbert", is written over the printed name.

Lawanda R. Gilbert, Director
Office of Cable Televisions & Telecommunications

TC/LRG